

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

IN RE: Tracy Y. Taylor aka Tracy Taylor aka Tracy Y
Taylor-Barkley dba Taylor's Personal Care Home LLC
Debtor(s)

CHAPTER 13

M&T BANK

Movant

vs.

NO. 18-17997 ELF

Tracy Y. Taylor aka Tracy Taylor aka Tracy Y Taylor-
Barkley dba Taylor's Personal Care Home LLC
Debtor(s)

William C. Miller Esq.

Trustee

11 U.S.C. Section 362

**MOTION OF M&T BANK
FOR RELIEF FROM THE AUTOMATIC STAY
UNDER SECTION 362**

1. Movant is M&T BANK.
2. Debtor(s) is/are the owner(s) of the premises 2115 West Hunting Park Avenue, Philadelphia, PA 19140, hereinafter referred to as the mortgaged premises.
3. Movant is the holder of a mortgage, original principal amount of \$120,000.00 on the mortgaged premises that was executed on February 9, 2007. Said mortgage was recorded on March 5, 2007 at Document ID Number 51643114. The Mortgage was subsequently assigned to Movant by way of Assignment of Mortgage recorded on March 20, 2013, at Document ID Number 52612730 in Philadelphia County. Attached are redacted copies of any documents that support the claim, such as promissory notes, purchase order, invoices, itemized statements of running accounts, contracts, judgments, mortgages, and security agreements in support of right to seek a lift of the automatic stay and foreclose if necessary.
4. William C. Miller Esq., is the Trustee appointed by the Court.
5. The commencement and/or continuation of the mortgage foreclosure proceedings by reason of non-payment of monthly mortgage payments were stayed by the filing of a Chapter 13 Petition in Bankruptcy by the Debtor(s).

6. Debtor(s) has/have failed to make the monthly post-petition mortgage payments in the amount of \$2,590.65 for the months of February 2019 through May 2019. The debtor's suspense balance is \$2,259.35

7. The total amount necessary to reinstate the loan post-petition is \$8,103.25 (plus attorney's fees & costs).

8. Movant is entitled to relief from stay for cause.

9. This motion and the averments contained therein do not constitute a waiver by Movant of its right to seek reimbursement of any amounts not included in this motion, including fees and costs, due under the terms of the mortgage and applicable law.

WHEREFORE, Movant prays that an Order be entered modifying the Stay and permitting Movant to proceed with its mortgage foreclosure on the mortgaged premises, and to allow the Sheriff's Grantee to take any legal action to enforce its right to possession of the mortgage premises. Further, Movant prays that an Order be entered awarding Movant the costs of this suit, reasonable attorney's fees in accordance with the mortgage document and current law together with interest.

/s/ Kevin G. McDonald, Esquire

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